

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

IN RE: Amy Fay Robinson

Case No.: 11-31815-KRH

Debtor(s)

Chapter 13

Plaintiffs,

v.

Adversary Proceeding No.13-03057

JP Morgan Chase Bank, N.A.
PO Box 182106
Columbus, OH 43218-2106

Stewart Title & Escrow, Inc.
10505 Judicial Dr., Ste 300
Fairfax, VA 22030

Defendants.

ORDER GRANTING MOTION FOR DEFAULT JUDGMENT
AVOIDING LIEN ON DEBTORS RESIDENCE

Upon consideration of the Plaintiffs' Motion for Default Judgment, and the pleadings and documents filed in the case, and good cause being shown therefor, it is

ORDERED:

1. This Court has subject matter jurisdiction based upon 28 U.S.C. § 1334.
2. Defendants were properly served and this Court has personal jurisdiction over all Defendants.
3. The Motion for Default Judgment is hereby granted.
4. Plaintiffs are the owners of certain real property and improvements thereon known as 112 Hughey Ct., Fredericksburg, Virginia (hereinafter "the Property"), and more particularly known as:

All that certain lot or parcel of land situate, lying and being in the City of Fredericksburg, Virginia designated as Lot 7, Section One, Bragg Hill, made by Jules L. Elliot, C.P.E., dated September, 1970, recorded in the Clerk's Office of the Circuit Court of Spotsylvania County, Virginia, in Plat Book 8, Pages 23 -24.

Being a portion of the same property conveyed unto Bragg Hill Acquisitions, LC by Deed dated December 28, 2000, recorded in Deed Book 344, Page 821, in the Clerk's Office of the Circuit Court of Fredericksburg, Virginia.

5. It is **FURTHER ORDERED**

A. the Defendant's claim is allowed as an unsecured claim, subject to review and additional objections by the Chapter 13 Trustee.

B. the Clerk shall send a copy of this Order to the parties listed below.

C. the second Deed of Trust of the Defendant is void and shall be of no effect during the pendency of this case under Chapter 13.

D. the aforementioned Deed of Trust shall be void for all other purposes when and if the Debtors complete their performance as required by the confirmed Chapter 13 Plan, subject to review and additional objections by the Chapter 13 Trustee.

E. upon receipt of the Order of Discharge in this case, the Debtors may file a copy of this judgment [order] in the Clerk's Office of the Circuit Court of the City of Fredericksburg, Virginia. The Debtor shall also, at that time, file a copy of her Order of Discharge in the Clerk's Office of the Circuit Court of the City of Fredericksburg, Virginia.

F. upon successful completion of the Debtors' Chapter 13 Plan and upon entry of discharge of any claims subject to discharge, the Defendant shall release its Deed of Trust.

G. should the Debtor convert to a Chapter 7 bankruptcy proceeding, or should the Debtor fail to complete their performance as required by the confirmed Chapter 13 Plan, this Order shall be null and void and the second Deed of Trust of the Defendant shall remain in full force and effect.

Dated: _____

United States Bankruptcy Judge

I ask for this:

/s/ Roger C. Hurwitz
Roger C. Hurwitz, VSB #51016
Counsel for Debtor/Plaintiff
The Debt Law Group
4036 Plank Rd.
Fredericksburg, VA 22407
(540) 412-1463
rchurwitz@gmail.com

/s/ Carl M. Bates
Carl M. Bates, Chapter 13 Trustee

LOCAL RULE 9022-1(C) Certification

The foregoing Order was endorsed and/or served upon all necessary parties pursuant to Local Rule 9022-1(C).

/s/ Roger C. Hurwitz
Roger C. Hurwitz
Carl M. Bates, Chapter 13 Trustee
PO Box 1819
Richmond, VA 23218-1819

Service List

JP Morgan Chase Bank, N.A.
PO Box 182106
Columbus, OH 43218-2106

Stewart Title & Escrow, Inc.
10505 Judicial Dr., Ste 300
Fairfax, VA 22030

Carl M. Bates, Chapter 13 Trustee
PO Box 1819
Richmond, VA 23218-1819

Amy Fay Robinson
112 Hughey Ct
Fredericksburg, VA 22401